

FILED
JAMES B. HEARNES
CLERK

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

04 DEC 28 AM 11:27

JAMES B. HEARNES, JR.,

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Case No. 1:03cv00496

Plaintiff

*

Judge Bertelsman

vs.

*

JEFF WYLER FAIRFIELD, *et al.*,

*

**PLAINTIFF'S NOTICE OF
DISMISSAL OF COUNTS
FIVE AND SIX OF THE
COMPLAINT**

Defendants.

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*

Now comes plaintiff, by and through the undersigned counsel, and notifies the Court of the voluntary dismissal of Count Five (Gender Discrimination-Federal), paragraphs 84-92, and Count Six (Gender Discrimination-State), paragraphs 93 and 94, of the Complaint in this matter.

Respectfully submitted,


s/Bryan R. Perkins

Bryan R. Perkins, Bar No. 0061871

Trial Attorney for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on December 28, 2004, I electronically filed the foregoing with the Clerk of Courts using the CM/ECF system and served Donald W. White, trial counsel for Defendants, 237 Main Street, Batavia, Ohio 45103, by hand.


s/ **Brian R. Perkins**
Bryan R. Perkins, Bar No. 0061871
Trial Counsel for Plaintiff